

Treatment of a portion of Dearness Allowance as Pay for the purpose of pension and Gratuity.

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GOVERNMENT OF MAHARASHTRA,
Rural Development Department,
Order No. DSR 4874/1781/XI
Sachivalaya, Bombay-400 032,

Dated the 12th August 1975.

ORDER

In exercise of the powers under proviso to Section-248 of the Maharashtra Zilla Parishads & Panchayat Samitis Act, 1961, (as amended) Maharashtra V of 1962, Government is pleased to direct the orders contained in the Finance Department Government Resolution No. PEN/2173/34/G of I/73/8.2 dated the 14th November 1973 are proposed to be made applicable to the Zilla Parishads employees as they are applicable to the Government servants as follows:-

According to para 2 of the Government Order No. DSR/4873/4111975 dated the 8th August 1975, in the case of Zilla Parishad employees, who retire on or after 1st April, 1973, for determining the pensionable pay under B.C.S. Rule 9(41) and 9(41-A) and Rule 46 of the Revised Pension Rules 1950, before taking the average of the pay earned during the last three years of service, the pay for each month shall be increased by the "Dearness Pay" appropriate to the pay for that month. It has been noticed that there are cases in which, though the Zilla Parishad employees have retired on or after the 1st April, 1973, due to the intervention of the Extraordinary leave, etc, the period of 36 months for the purpose of calculation of pensionable pay commenced from dates earlier than 1st April, 1970. In such cases under the orders as they stand, the benefit of dearness pay is not admissible in respect of the pay drawn before 1st April, 1970. In the case of persons retiring before 1st April, 1973, however, the period preceding 1st April, 1970 is taken into account for the purpose of pensionable pay to which appropriate amounts of dearness pay are added. This places persons who retired before 1st April, 1973 in a more advantageous position vis-à-vis those who retire on or after 1st April, 1973. To remove this anomaly it has been decided that the pensionable pay of those retiring on or after 1st April, 1973 reckoned under the B.C.S. Rules 9(41), 9(41-A) or Rule 46 of the Revised Pension Rule, 1950 as the case may be should be increased by the dearness pay appropriate to such pensionable pay notwithstanding the fact that a portion of the last 36 months may fall prior to 1st April, 1970, the date from which the benefit of dearness pay was allowed for the purpose of pension as per Government Order No. DSR/4871/56427/S dated the 16th December 1971 read with Government notification No. DSR/4872/11333/III dated the 1st June 1974.

2. This Order issues with the concurrence of Finance Department vide its unofficial reference No. 420/F18 dated the 4th July 1975.

By order and in the name of the Governor of Maharashtra,

M.G. TELANG
o/c

(M.G. TELANG)
Desk Officer.

The Commissioners of all Divisions,

The...

The Chief Executive Officers of all Zilla Parishads,

The Accountant General Maharashtra, I Bombay,

The Accountant General Maharashtra, II, Nagpur,

The Chief Auditor, Local Fund Accounts, Bombay,

The Deputy Chief Auditor, Local Fund Accounts of
Bombay/Poona/Nagpur/Aurangabad,

The Finance Department (F-18),

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